

# Attachment 9 - Past Performance Summary

---

Lassen County has successfully managed and/or administered grant funds, specifically Local Groundwater Assistance (LGA) grants. Lassen County has recently completed its most recent grant award, the Lassen Basin Management Objective (BMO) Development Program. Lassen County completed the project in 2012, and compiled a thorough final report that has been submitted to DWR, included as Attachment A. The final report clearly shows that Lassen County has the ability to complete a grant funded project on budget and on time, and to do more work than the contracted scope required. A comparison of proposed and actual schedules is included in the final report on page 7-1.

The BMO development program was contracted to develop an ordinance to codify BMOs for Lassen County. Lassen County exceeded the project scope by developing the scope and seeing it through adoption into County law by the Board of Supervisors on April 24, 2012. The adopted ordinance is included as Attachment B

**Attachment A**

**Basin Management Objective Development  
Program Final Report**

Lassen County Establishment of  
Basin Management Objectives  
Final Report  
Contract # 4600008701

---

Prepared for  
Lassen County Department of Planning and Building  
May 30, 2012

# Lassen County Establishment of Basin Management Objectives Final Report

---

Prepared for  
Lassen County Department of Planning and Building  
May 30, 2012

4600008701



10540 White Rock Road, Suite 180  
Rancho Cordova, CA 95670

# Table of Contents

List of Figures .....	iii
List of Tables .....	iii
List of Abbreviations .....	iv
1. Introduction.....	1-1
1.1 Lassen BMO Project Purpose.....	1-1
1.2 Report Format .....	1-1
2. Public Outreach .....	2-1
2.1 Task 1.1 Develop Public Outreach Plan .....	2-1
2.2 Task 1.2 Implement Public Outreach Plan .....	2-1
3. Basin Management Objective Planning.....	3-1
3.1 Task 2.1 – Establish Advisory Committee .....	3-1
3.2 Task 2.2 – Establish Management Areas .....	3-2
3.3 Task 2.3 – Develop BMO Management Structure.....	3-4
3.4 Task 2.4 – Develop BMO Ordinance.....	3-4
4. Basin Management Objective Development .....	4-1
4.1 Task 3.1– Development of Guidance Documents.....	4-1
4.2 Task 3.2– Adopt Quantitative Criteria .....	4-1
5. Data Management.....	5-1
6. Project Management.....	6-1
7. Schedule Comparison .....	7-1
Appendix A: Final Public Outreach Plan.....	A
Appendix B: Public Outreach Implementation .....	B
Appendix C: Basin Management Objective Structure Technical Memorandum .....	C
Appendix D: Approved Ordinance .....	D
Appendix E: BMO Guidance Documents.....	E
Appendix F: Hydrograph Tool Users Guide .....	F
Appendix G: Lassen County CASGEM Monitoring Plan .....	G
Appendix H: Quarterly Reports .....	H

## List of Figures

Figure 3-1 Management Areas.....	3-3
Figure 7-1 Original Schedule from Grant Application .....	7-1
Figure 7-2 Actual Schedule of Project Implementation.....	7-2

## List of Tables

Table 3-1. Working Group Members.....	3-1
---------------------------------------	-----

## List of Abbreviations

---

BMOs	Basin Management Objectives
BoS	Board of Supervisors
CASGEM	California Statewide Groundwater Elevation Monitoring
DWR	Department of Water Resources
GMP	Groundwater Management Plan
QA/QC	quality control / quality assurance
TM	Technical Memorandum

## Section 1

# Introduction

This report is being submitted as the final report concerning activities completed for the Lassen County Establishment of Basin Management Objectives (Lassen BMO) project. This final report is intended to meet the requirements of Section 16 of the Lassen County Contract Number 4600008701. The purpose of the final report is to provide the Department of Water Resources (DWR) and the public progress reports on activities completed during the project. The Lassen BMO Project consists of five tasks as follows:

Task 1 – Public Outreach

Task 2 – BMO Planning

Task 3 – BMO Development

Task 4 – Develop Data Management Plan

Task 5 – Project Management

### 1.1 Lassen BMO Project Purpose

Lassen County was awarded grant funds from DWR through the AB303 grant program. The Lassen County BMO project developed Basin Management Objectives (BMOs) as described in the County's Groundwater Management Plan (GMP).

The established BMOs created a monitoring based approach to meeting GMP objectives that provides a management strategy to avoid overdraft and other groundwater impacts. The BMOs identified groundwater monitoring within the priority groundwater basins identified in the GMP, established monitoring thresholds in key wells, and established appropriate responses based on monitoring information. The BMOs were being developed through a collaborative process with local stakeholders in the form of a working group.

In addition, the project included development of a data management tool that will assist the County in implementing the BMO program's reporting requirements, development of a California Statewide Groundwater Elevation Monitoring (CASGEM) plan, and development of a County ordinance that codified the BMO program and was approved by the Lassen County Board of Supervisors (BoS).

### 1.2 Report Format

The format of this report has been developed based on the scope of work. Report sections and project activities listed under scope tasks and subtasks, with project deliverables included in the appendices.



## Section 2

# Public Outreach

The public outreach task is an essential component of the BMO development process. Public outreach provided communication with the public through newsprint, internet, and other means. Public outreach in the Lassen BMO project consisted of development of a public outreach plan and implementation of the outreach plan by providing public notification, holding meetings, and internet development. Public outreach was subdivided into two subtasks:

- **Task 1.1 - Develop Public Outreach Plan** – This subtask wrote the public outreach plan, which detailed the process of public notification and participation in the project.
- **Task 1.2 - Implement Public Outreach Plan** – This subtask implemented the activities described in the public outreach plan.

## 2.1 Task 1.1 Develop Public Outreach Plan

The public outreach plan was developed and finalized on October 25, 2010. The public outreach plan is included as Appendix A.

## 2.2 Task 1.2 Implement Public Outreach Plan

The public outreach plan was implemented throughout the life of the project, and included the following outreach activities, documented in Appendix B:

- October 7, 2010 Working Group meeting (Appendix B1)
- November 16, 2010 Working Group meeting (Appendix B2)
- December 13, 2010 Working Group meeting (Appendix B3)
- January 18, 2011 Working Group meeting (Appendix B4)
- March 15, 2011 Board of Supervisors update presentation (Appendix B5)
- March 15, 2011 Working Group meeting (Appendix B6)
- May 17, 2011 Working Group meeting (Appendix B7)
- Development of Posters used during public meetings, a six page project summary including newspaper advertisements, posters hung at local establishments by Working Group members to help advertise the public meetings, and the webpage (Appendix B8)
- August 8, 2011 Public Meeting in Herlong (Appendix B9)
- August 9, 2011 Public Meeting in Janesville (Appendix B9)
- August 10, 2011 Public Meeting in Doyle (Appendix B9)
- August 16, 2011 Public Meeting in Wendel (Appendix B9)
- August 17, 2011 Public Meeting in Bieber (Appendix B9)
- August 18, 2011 Public Meeting in Spalding (Appendix B9)
- September 13, 2011 Board of Supervisors update presentation (Appendix B10)

- November 8, 2011 Working Group meeting (Appendix B11)
- April 24, 2012 Board of Supervisors hearing to adopt BMO ordinance (Appendix B12)

## Section 3

# Basin Management Objective Planning

Task 2, Basin Management Planning, was designed to establish the essential components of the BMO program. This task identified the advisory committee known as the BMO working group, management areas, structure, and processes of the BMO program. Task 2 had four subtasks:

- **Task 2.1 – Establish Advisory Committee** – This subtask identified the advisory committee known as the working group responsible for determining the management areas, structure, and processes of the BMO program.
- **Task 2.2 – Establish Management Areas** – This subtask identified BMO management areas with advisory committee input with consideration of basin boundaries, land use, geographic considerations and political boundaries.
- **Task 2.3 – Develop BMO Management Structure** – This subtask established the BMO structure and included the organization structure, implementation process, and conflict resolution process. Task 2.3 was completed by development of a BMO structure TM.
- **Task 2.4 – Develop BMO Ordinance** – This subtask developed a BMO ordinance for consideration, and adoption by the Lassen County Board of Supervisors.

### 3.1 Task 2.1 – Establish Advisory Committee

This subtask established the Working Group which acted as the advisory committee responsible for determining the management areas, structure, and providing guidance to the development of the processes of the BMO program. Table 3-1 identifies the members of the Working Group.

Table 3-1. Working Group Members

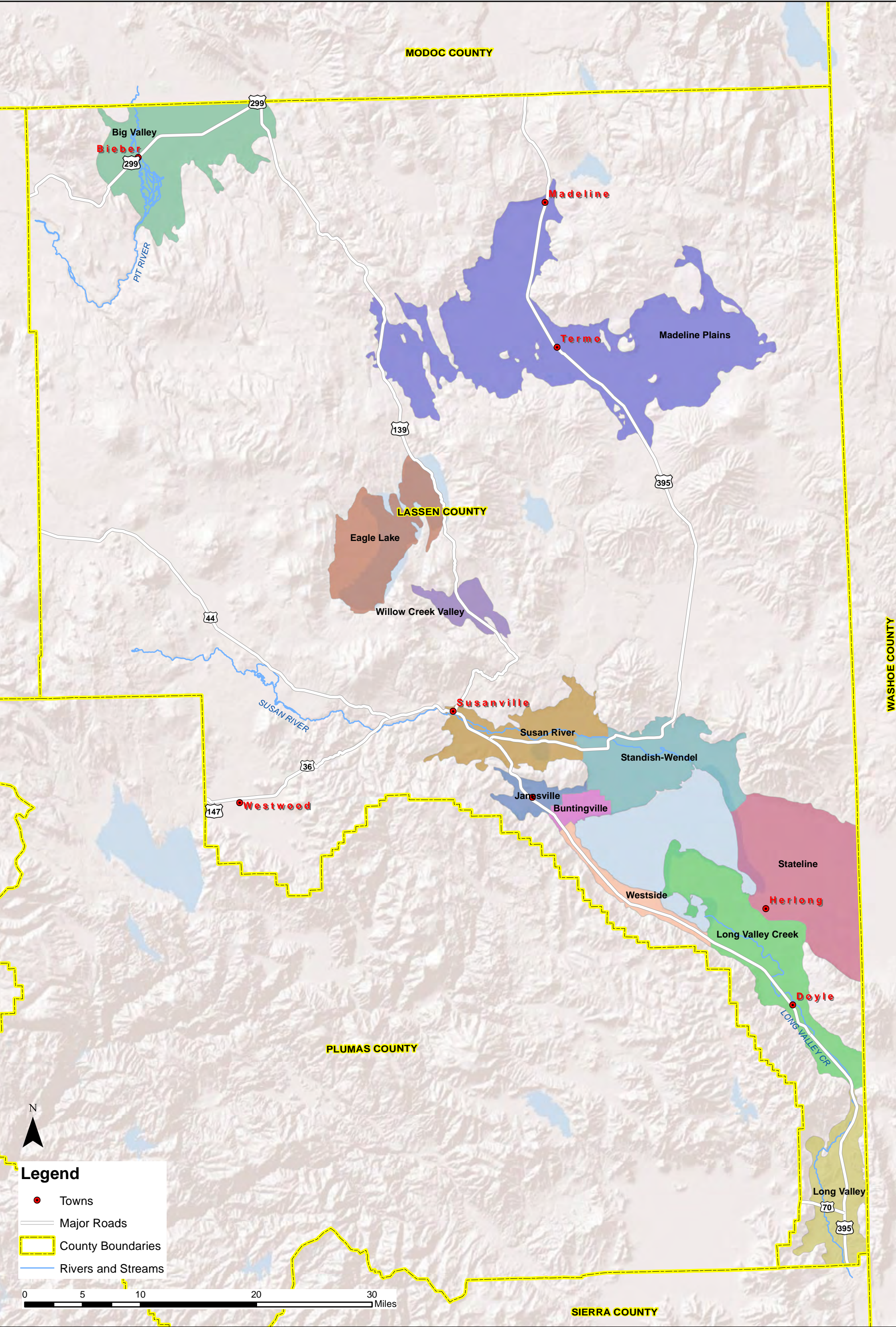
Member	Organization	Contact Information
Jack Hanson	Lassen County Board of Supervisors	530-251-6450
Bob Pyle	Lassen County Board of Supervisors	530-257-5797
Richard Egan	Lassen County	530-251-8218
David Lile	UCCE	dfille@ucdavis.edu
Kevin Mitchel	Agriculture – Big Valley	530-515-2067
Todd Swickard	Agriculture -	530-254-6987
Maurice Anderson	Lassen County	530-251-8269
Dan Newton	City of Susanville	<a href="mailto:dnewton@cityofsusanville.org">dnewton@cityofsusanville.org</a>
Gaylon Norwood	Lassen County	530-251-8269
Shawn Wheelock	USDA Forest Service	530-257-2151
Paul Herman	Long Valley Groundwater Management District	<a href="mailto:potterpaul@frontiernet.net">potterpaul@frontiernet.net</a>

Table 3-2. Working Group Members		
Member	Organization	Contact Information
Bob Anton	Honey Lake Valley Resource Conservation District	530-257-7271 ext 101
Kelly Staton	Department of Water Resources Northern District	<a href="mailto:staton@water.ca.gov">staton@water.ca.gov</a>
Dan McManus	Department of Water Resources Northern District	<a href="mailto:mcmanus@water.ca.gov">mcmanus@water.ca.gov</a>
John Ayres	Brown and Caldwell	<a href="mailto:jayres@brwncald.com">jayres@brwncald.com</a>
Tim Garrod	Honey Lake Resource Conservation District	<a href="mailto:Tag2248@yahoo.com">Tag2248@yahoo.com</a>
Pat Williams	Herlong Public Utilities District	<a href="mailto:pat@herlongpud.com">pat@herlongpud.com</a>
Edward Kranz	Agriculture - Madeleine Plains	530-234-2005
Dave Zuber	Brown and Caldwell	<a href="mailto:dzuber@brwncald.com">dzuber@brwncald.com</a>

## 3.2 Task 2.2 – Establish Management Areas

This subtask identified BMO management areas with Working Group input. Management areas were developed with consideration of previous work, inventory units, groundwater basin boundaries, land use, land use by water source, and political boundaries. Figure 3-1 presents the finalized management areas.







### **3.3 Task 2.3 – Develop BMO Management Structure**

This task established the BMO management structure, which includes the organizational structure, the BMO implementation process, and the conflict resolution process. The BMO organizational structure was developed with support and review of the Working Group, and was included as an attachment to the proposed ordinance in the Board of Supervisor's package. The BMO management structure TM is included as Appendix C.

### **3.4 Task 2.4 – Develop BMO Ordinance**

This task developed a BMO ordinance for Lassen County Board of Supervisors consideration. The ordinance codified the BMO process identified in the BMO Organizational Technical Memorandum. The approved ordinance is included in Appendix D; it was formally adopted into Lassen County law on April 24, 2012 by unanimous vote of the Board of Supervisors.

## Section 4

# Basin Management Objective Development

Task 3, Basin Management Development identified quantitative management objectives for each management area. This task created guidance documents and held local meetings with local groundwater users on BMO concepts, to allow groundwater users to determine if the proposed method of management meets local needs, and worked closely with local groundwater users to define quantitative management objectives. This Task had two subtasks:

- **Task 3.1 – Development of Guidance Documents**– This subtask created guidance documents for each BMO management area. The guidance documents are a public outreach tool that provided education on BMO activities and groundwater concepts including description of the BMO method, identification of monitoring elements, identification of appropriate monitoring, and guidance for setting BMO action levels.
- **Task 3.2 – Adopt Quantitative Criteria** – This subtask worked to develop approval of quantitative criteria for BMO management for each management area by collaborating with local groundwater users in each management area.

Details on the work performed are described below.

## 4.1 Task 3.1– Development of Guidance Documents

This subtask created guidance documents for each BMO management area. The guidance documents are a public outreach tool that provided education on BMO activities and groundwater concepts including description of the BMO method, identification of monitoring elements, identification of appropriate monitoring, and guidance for setting BMO action levels. Twelve guidance documents were created, one for each management area. The guidance documents are included in Appendices E1 through E12.

## 4.2 Task 3.2– Adopt Quantitative Criteria

This subtask worked to develop approval of quantitative criteria for BMO management for each management area by collaborating with local groundwater users in each management area. Work under this subtask included preparation of outreach materials and holding six public meetings throughout Lassen County in August of 2011. Outreach materials and meeting summaries are included in Appendix B8 and B9, respectively.

## Section 5

# Data Management

This task created a data management tool to facilitate implementation of BMOs. Implementation of BMOs required annual reporting of monitoring and evaluations of groundwater conditions. During project implementation, this task was used to develop a data tool that created and updated hydrographs easily by County staff assisted in development of the annual BMO report. Additionally this task was used to develop the CASGEM Monitoring Plan. The data tool is included on an attached Compact Disk, and the tool's instructions are included as Appendix F, and the CASGEM Monitoring Plan is included as Appendix G.



## Section 6

# Project Management

Project Management included activities such as project team coordination, budget and schedule tracking, quality control reviews, quarterly reports, invoicing, and other efforts as needed to complete the project scope. Six quarterly reports were prepared during project implementation. The six reports without attachments are included in Appendix H

## Section 7

# Schedule Comparison

The project ran a few months over schedule, due to awaiting adoption of the ordinance by the Board of Supervisors, which was not originally scoped into the project. Figure 7-1 presents the original schedule, and 7-2 presents the schedule as project activities actually occurred.

Several changes from the proposed schedule to the actual schedule occurred, including:

- The development, review, and approval of the BMO ordinance occurred after the bulk of the project was completed. This extended the project's duration.
- The last Working Group meeting was rescheduled to November of 2011.
- Additional public meetings at the Board of Supervisors were held, in March of 2011, and April of 2012.
- The management area meetings were all held in August of 2011 instead of being spread over four months.
- Quarterly reports were rescheduled to coincide with the annual calendar.
- The final report was added to the schedule.

**Figure 7-1 Original Schedule from Grant Application**

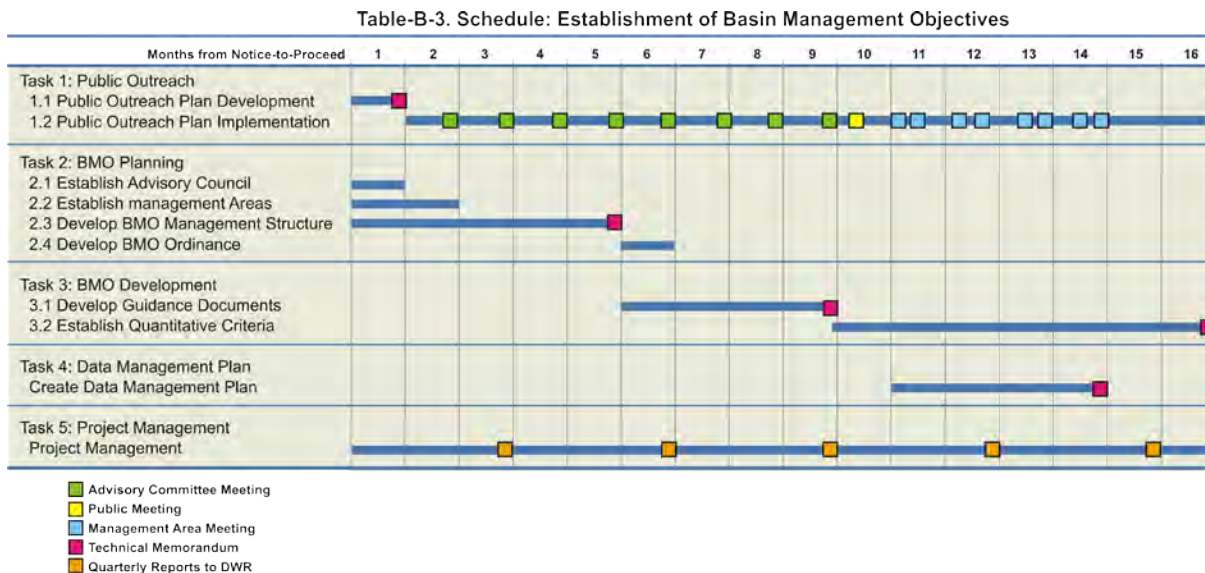
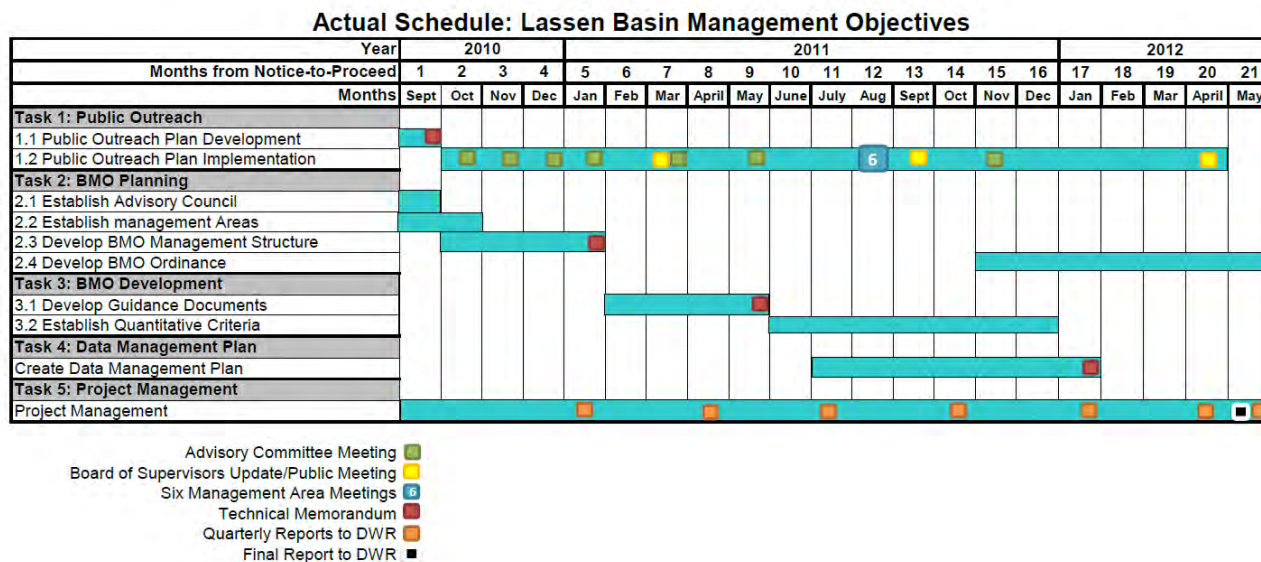


Figure 7-2 Actual Schedule of Project Implementation



## **Attachment B**

### **Adopted BMO Ordinance**

BOARD OF SUPERVISORS  
COUNTY OF LASSEN, STATE OF CALIFORNIA

Date: April 24, 2012

Meeting: Regular (X)  
Special ( )

Present:

Supervisor, District 1 – Robert Pyle  
Supervisor, District 2 – Jim Chapman  
Supervisor, District 3 - Larry Wosick  
Supervisor, District 4 - Brian Dahle - Chairman  
Supervisor, District 5 - Jack Hanson

County Administrative Officer Martin Nichols

Deputy Clerk of the Board Susan Osgood

County Counsel Rhett Vander Ploeg

**PROCEEDINGS:**

Discussion was held on the April 24, 2012 Agenda Item C1 posted as follows:

**C1. 10:35 a.m.: PUBLIC HEARING - PLANNING AND BUILDING SERVICES - BASIN MANAGEMENT  
OBJECTIVE ORDINANCE**

**SUBJECT:** Public Hearing: Consider adoption of an ordinance to establish a Basin Management Objective (BMO) program to facilitate the understanding and public dissemination of groundwater data in Lassen County. Development of a BMO program is an implementation measure of the Groundwater Management Plan adopted by the Board of Supervisors on March 13, 2007. The proposed ordinance does not regulate any action or inaction; establish or increase any fees; or impose any penalty for action or inaction. Project File No. 1242.04.

**ACTION REQUESTED:** 1) Receive report.

2) Conduct a public hearing.

3) Introduce and adopt, by title only, an ordinance to establish a Basin Management Objective program; and/or

4) Provide further direction to staff, if necessary, in regard to the draft ordinance(s).

**ACTION:** Introduce and adopt, by title only, an Ordinance No. 2012-002 to establish a Basin Management Objective program.

**MOVED BY:** Pyle

**SECONDED BY:** Hanson

**UNANIMOUS:** Yes

For further information, refer to minutes of April 24, 2012 when they are approved.

County of Lassen County )  
State of California ) ss.

I, SUSAN OSGOOD, Deputy Clerk of the Board of the Board of Supervisors, County of Lassen, State of California, do hereby certify the foregoing to be a full, true and correct copy of the minute order of said Board of Supervisors on above date.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Official Seal of the said Board of Supervisors this 8th day of May, 2012.

By   
Deputy Clerk of the Board, County of Lassen,  
Board of Supervisors.

BOARD OF SUPERVISORS  
COUNTY OF LASSEN, STATE OF CALIFORNIA

Date: April 24, 2012

Meeting: Regular (X)  
Special ( )

Present:

Supervisor, District 1 - Robert Pyle  
Supervisor, District 2 - Jim Chapman  
Supervisor, District 3 - Larry Wosick  
Supervisor, District 4 - Brian Dahle - Chairman  
Supervisor, District 5 - Jack Hanson

County Administrative Officer Martin Nichols

County Counsel Designee Rhetta Vander Ploeg

Deputy Clerk of the Board Susan Osgood

**PROCEEDINGS:**

**PUBLIC HEARING - PLANNING AND BUILDING SERVICES - BASIN MANAGEMENT  
OBJECTIVE ORDINANCE**

**SUBJECT:** Public Hearing: Consider adoption of an ordinance to establish a Basin Management Objective (BMO) program to facilitate the understanding and public dissemination of groundwater data in Lassen County. Development of a BMO program is an implementation measure of the Groundwater Management Plan adopted by the Board of Supervisors on March 13, 2007. The proposed ordinance does not regulate any action or inaction; establish or increase any fees; or impose any penalty for action or inaction. Project File No. 1242.04.

**ACTION REQUESTED:** 1) Receive report.

2) Conduct a public hearing.

3) Introduce and adopt, by title only, an ordinance to establish a Basin Management Objective program; and/or

4) Provide further direction to staff, if necessary, in regard to the draft ordinance(s).

The public hearing is opened at 10:37 a.m. and is closed at 11:10 a.m.

Planning and Building Services Director Maurice Anderson: Presents history; detailed staff report and agenda packet is presented. Notes the Groundwater Management Plan (GMP) has been worked on for about ten years and adopted in 2007. Agenda request is to adopt ordinance establishing a Basin Management Objective (BMO) program as part of implementation measure of the GMP. There was a great deal of hard work, good science and collaboration between the Board, staff and agencies. The BMO is a continuing data gathering effort put in position to get future grants. County staff is directed to do monitoring through the GMP. Commends Senior Planner Gaylon Norwood for the excellent job he did on the extensive report.

Consultant John Ayres (Brown and Caldwell): Provides a power point presentation on the Basin Management Objective Program including: Background; Basin Management Objective Program: a) Technical Advisory Committee (TAC – will consist of users of resource) will review monitoring and perform analysis; prepare annual BMO status report; investigate BMO exceedances; make recommendations to Groundwater Committee; meet at least once a year; serve 2 year terms; comply with Brown Act; is an advisory committee to the Board of Supervisors who have the final say. b)

Groundwater Committee (GWC – will consist of people from management area) will review BMO annual report; present annual inspection to Board; recommend members of GWC and TAC to the Board; implement tier 1 actions based on TAC recommendations; present to the Board if actions necessary are beyond GWC authority; meet at least once a year; serve 2 year terms; comply with Brown Act; is an advisory committee to the Board of Supervisors who have final say. There are twelve Management Areas. Public Outreach: meetings held - 8 working group meetings, 6 public meetings, 3 Board of Supervisors updates on March 15, 2011, September 13, 2011 and December 13, 2011 (adopted CASGEM groundwater monitoring plan). Public Outreach Working Group guided definition of management area; identification of the management structure; identification of BMO actions; public outreach. Working Group members could apply to be part of the BMO management structure during implementation if the ordinance is adopted. BMO Value: focused on collecting and sharing groundwater data; monitoring provides early warning for potential problems; program creates an environment of ongoing dialogue about groundwater monitoring over multiple years; program makes groundwater monitoring data readily available to staff and the public; data can be utilized by County staff, GWC, the Planning Commission and the Board; improves decision making by having better understanding of resource. The proposed ordinance does not regulate any action or inaction; establish or increase any fees; or impose any penalty for action or inaction.

Discussion is held. No one speaks in opposition to the Ordinance.

**SPEAKERS IN FAVOR:** 1) Ed Krantz (Madeline Plains area): Thinks this will help; has been able to present information to people with questions. 2) Iona McCain: Agrees with this and appreciates what is being done; does not know how decisions can be made without facts. 3) Kelly Staton (Department of Water Resources, Northern division) – This has been a great program; it is good someone is looking at gathered data and doing something with it. 4) David Lile (Cooperative Extension): Data is only worth something if it is open, transparent, made public and used for discussion before there is a crisis. The real value of this program is to set that structure in place.

**ACTION:** Introduce and adopt, by title only, an Ordinance No. 2012-002 to establish a Basin Management Objective program.

**MOVED BY:** Pyle

**SECONDED BY:** Hanson      **UNANIMOUS:** Yes

County of Lassen County    )  
State of California         ) ss.

I, SUSAN OSGOOD, Deputy Clerk of the Board of Supervisors, County of Lassen, State of California, do hereby certify the foregoing to be a full, true and correct copy of the minute order of said Board of Supervisors on above date.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Official Seal of the said Board of Supervisors this 8th of May, 2012.

By   
Deputy Clerk of the Board, County of Lassen,  
Board of Supervisors



ORDINANCE NO. 2012-002

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LASSEN  
ESTABLISHING A BASIN MANAGEMENT OBJECTIVE PROGRAM WITHIN THE  
COUNTY

WHEREAS, the groundwater underlying Lassen County has historically provided the people and lands of Lassen County with water for agricultural, domestic, municipal and other purposes; and

WHEREAS, it is essential for the protection of the health, welfare, and safety of the residents of the county, and the public benefit of the state, that groundwater resources of Lassen County be understood and protected from harm; and

WHEREAS, much of the farm production of the county depends upon the use of groundwater to produce field and vegetable crops which significantly contribute to the gross value of all agricultural crops produced in the county; and

WHEREAS, much of the water supply for residential needs in the county is provided by groundwater; and

WHEREAS, the groundwater of Lassen County is and will be a vital part of future water use in the county; and

WHEREAS, the County seeks to foster prudent water management practices to avoid significant adverse overdraft-related environmental, social, and economic impacts. It is therefore essential for the protection of the county's important groundwater resources that the County establishes this program to facilitate groundwater study and dissemination of groundwater related information; and

WHEREAS, in adopting this ordinance the county in no way intends to limit management by either the county or other public entities, including the Modoc-Lassen flood control district, the Honey Lake Valley Groundwater Basin Act, the Long Valley Groundwater Basin Act, the Willow Creek Valley Groundwater Basin Act, the Surprise Valley Groundwater Basin Act, and any other applicable laws in a manner consistent with any groundwater management plan adopted by the county or the districts; and

WHEREAS, the Board adopted the Lassen County Groundwater Management Plan on March 13, 2007; and

WHEREAS, the County finds and declares that the implementation of the Lassen County Groundwater Management Plan is necessary to better understand how to manage groundwater effectively to ensure the safe production, quality, and proper storage of groundwater; and



WHEREAS, the County has developed the Basin Management Objective structure with the help of a working group comprised of individuals with extensive knowledge of local groundwater related issues; and

WHEREAS, the Basin Management Objective program was developed during seven meetings of a steering committee of local stakeholders and groundwater experts; and

WHEREAS, the Basin Management Objective program has been publicly disseminated through a public website, newspaper articles, flyers in post offices, and six public meetings held throughout Lassen County; and

WHEREAS, the Board of Supervisors has been provided an update regarding Basin Management Objective program activities on several occasions, including three agendaized reports on March 15, 2012, September 13, 2011, and December 13, 2011; and

WHEREAS, the Basin Management Objective Program does not regulate any action or inaction; establish or increase any fees; or impose a penalty for any action or inaction; and

WHEREAS, On December 13, 2011, the Board of Supervisors adopted the "Lassen County CASGEM (California Statewide Groundwater Elevation) Groundwater Monitoring Plan" and sent a letter to the Department of Water Resources, Northern Region Office informing DWR that, as an authorized groundwater management agency, Lassen County will comply with part 2.11 of the California Water Code in regard to groundwater monitoring; and

WHEREAS, the Environmental Review Officer of Lassen County has determined, and the Board of Supervisors concur, that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15306 of the CEQA Guidelines.

NOW THEREFORE, the Board of Supervisors of the County of Lassen, State of California, does hereby ordain as follows:

**SECTION ONE:** This ordinance shall take effect Thirty (30) days from the date of its passage, and before the expiration of Fifteen (15) days after its passage, a summary shall be published with the names of the members voting for and against the same once in a local newspaper within the County of Lassen, State of California.

**SECTION TWO:** A new Chapter, 17.02, entitled "Basin Management Objectives" is hereby added to Title 17 of the Lassen County Code to read as follows:

Chapter 17.02– Basin Management Objectives

- 17.02.010 Legislative Intent
- 17.02.015 Definitions
- 17.02.020 Relationship to Other Laws
- 17.02.025 Establishment of BMO Program

- 17.02.030 Establishment of a Groundwater Committee
- 17.02.040 Establishment of a Technical Advisory Committee
- 17.02.045 Establishment Management Areas, Key Wells, and Action Levels
- 17.02.050 Groundwater Monitoring Annual Report
- 17.02.055 Data Collection
- 17.02.060 Procedures for Data Review and Dissemination
- 17.02.070 Periodic Review and Updating

**17.02.010 Legislative Intent.**

- a. The Board finds that the protection of the groundwater resources for beneficial use within the County is of major concern to the residents of the Country for the protection of their health, welfare, and safety. The Board further declares that beneficial use and maintenance of groundwater and protection of recharge zones is of critical importance to the economy and environment of the County.
- b. The purpose of this Chapter is to establish a Basin Management Objective program to facilitate the understanding and public dissemination of groundwater in Lassen County.
- c. The Basin Management Objective program does not, and is not intended to, regulate any action or inaction; establish or increase any fees; or impose a penalty for any action or inaction.
- d. The Board intends to ensure the continued sustainability of groundwater quantity and quality within the County.
- e. It is essential for information gathering and management purposes that the County maintains a monitoring program addressing groundwater elevations.
- f. The lack of groundwater management may have the following negative impacts, including, but not limited to:
  - 1. Lowering of groundwater levels leading to increased energy consumption, a potential decrease in stream flows, the increased cost of deepening existing wells, and the prospect that new wells shall need to be deeper and be more costly than would otherwise be required;
  - 2. Depleting surface and subsurface flows leading to potential loss of wildlife and critical terrestrial and wetland habitat;
  - 3. Degradation of groundwater quality;
  - 4. Inelastic land subsidence;
  - 5. A degradation of property values and injury to agricultural lands.

- g. It is the purpose and intent of this Chapter to establish an effective policy concerning groundwater that will assure that the overall economy and environment of the County is protected. Through adoption of this Chapter the Board of Supervisors seek to protect the health, safety, and welfare of County residents.
- h. The Board does not intend, in adopting this Chapter, to determine whether any groundwater in storage above established Basin Management Objectives is surplus groundwater, to define surplus groundwater, or to impose fees, assessments, charges, or taxes upon County residents and or business owners.

#### **17.02.015 Definitions**

1. "Action Level" means a particular groundwater elevation, selected by the Board of Supervisors or the Groundwater Committee, for a particular key well. Certain actions may be taken by the Technical Advisory Committee, Groundwater Committee, or Board of Supervisors when said elevation goes below the action level for a particular well.
2. "Board" means the board of supervisors of Lassen County.
3. "BMO program" means Basin Management Objective program.
4. "County" means the county of Lassen.
5. "Director" means the director of the Department of Planning and Building Services or his/her designee.
6. "District" means an entity wholly or in part located within the boundaries of the county, which is a purveyor of waters for agricultural; domestic, or municipal use.
7. "Exceedance" means a groundwater level for a particular key well that is below the Action Level one or Action Level two for that specific key well. The groundwater level that constitutes an exceedance is specific to each key well.
8. "Groundwater" means all water beneath the surface of the earth which is capable of being extracted, and includes, but is not limited to, water occurring in a defined pool or aquifer.
9. "GWC" means the Groundwater Committee as defined in Section 17.02.30
10. "Key well" means a well selected by the Board of Supervisors or the Groundwater Committee is well representative of a basin or sub-basin.
11. "Monitoring report" means Annual Basin Management Objective Monitoring Report as defined in 17.02.50.

12. "Spring groundwater monitoring measurement" means a measurement taken in one of Lassen County's monitoring wells that are included in the California Statewide Groundwater Elevation Monitoring (CASGEM) program taken during the calendar year before the month of May.

13. "TAC" means Technical Advisory Committee as defined in 17.02.40.

#### **17.02.020 Relationship to Other Laws**

This chapter is not intended to, nor shall it be construed or given effect in a manner that causes it to apply to any activity that is regulated by federal or state law to the extent that application of this chapter would conflict with such law or would unduly interfere with the achievement of federal or state regulatory purposes. It is the intention of the Board that this chapter shall be interpreted to be compatible with federal, county, and state enactments, and in furtherance of the public purposes which those enactments express. Nothing in this chapter is intended to supersede any other provisions of this code.

#### **17.02.025 Establishment of BMO Program**

There is hereby established a Basin Management Objective program for Lassen County. The intent of the program is listed in Section 17.01.010.

#### **17.02.030 Establishment of a Groundwater Committee**

This Section establishes the Groundwater Committee (GWC) as a subcommittee of the Board. The following provisions will be applicable to the Groundwater Committee:

- a. The Groundwater Committee shall be comprised of one representative from each of the management areas described in section 17.02.045; except that the representative from Long Valley Creek Management Area shall also represent the Stateline Management Area. There shall be an additional representative on the Committee that is a member of County staff or government.
- b. Vacant positions on the Groundwater Committee and positions for which a term will expire shall be advertised in accordance with all applicable county and state requirements and in accordance with the Ralph M Brown Act.
- c. Members may seek and hold multiple terms.
- d. The sitting Groundwater Committee may make a recommendation to the Board regarding applications for appointment to any position that may become vacant.
- e. Members shall be appointed by the Board from applicants who reside or own property within the Management Area for which he or she is applying.
- f. Members will serve two year terms.

- g. The initial term for the representative for the following management areas shall be three years: Big Valley, Janesville, Long Valley Creek, Madeline Plains, Standish-Wendel, and Willow Creek Valley.
- h. The Committee will have a chairperson and vice-chairperson, established by majority vote of the Groundwater Committee, and elected annually.
- i. The Groundwater Committee is responsible for reviewing the annual Basin Management Objective monitoring report.
- j. The Groundwater Committee is responsible for considering Technical Advisory Committee recommendations and implementing outreach and voluntary groundwater related activities as defined in Section 17.02.060.
- k. The Groundwater Committee is responsible for approving the recommendations of the TAC regarding changes to key wells, including additions or deletions of key wells.
- l. The Groundwater Committee shall meet at least annually following the spring groundwater measurements.
- m. The Groundwater Committee shall be responsible for reporting groundwater conditions to the Board annually. At a minimum this report shall include the last Groundwater Monitoring Report, actions taken by the TAC and the GWC since the last update to the Board and any recommendations the TAC or the GWC may have.
- n. Groundwater Committee members will represent their Management Area but will have one vote in all decisions made by the Committee.
- o. The Department of Planning and Building Services shall serve as staff to the Groundwater Committee.

#### **17.02.040 Establishment of a Technical Advisory Committee**

The following Section establishes the Technical Advisory Committee as a subcommittee of the Board. The following provisions will be applicable to the Technical Advisory Committee:

- a. The Technical Advisory Committee shall be comprised of six members, which will include the following: one Department of Water Resources representative, one state or federal representative, one local agriculture representative, one local municipal purveyor or water district representative, and one at large representative. The Director of Planning and Building Services, or their designee, shall serve as the Chair of the Technical Advisory Committee and shall be a permanent appointee of the Committee.
- b. Vacant positions on the Technical Advisory Committee and positions for which a term will expire shall be advertised in accordance with all applicable county and state requirements and in accordance with the Ralph M Brown Act.

- c. Members are appointed by the Board.
- d. Members will serve two year terms, with half of the initial membership, as selected by the Board, serving a three year term to stagger membership turnover.
- e. The Committee shall be responsible for developing the Annual Basin Management Objective monitoring report.
- f. The Committee shall be responsible for performing review and investigation activities and making recommendations to the Groundwater Committee as defined in Chapter 17.02.060.
- g. The Department of Planning and Building Services shall serve as staff to the Technical Advisory Committee.
- h. The Committee shall meet not less than once per calendar year.

**17.02.045 Establishment Management Areas, Key Wells, and Action Levels**

- a. Management Areas are hereby established for the areas shown in Exhibit A. The names of said Management Areas are: Big Valley, Buntingville, Eagle Lake, Janesville, Long Valley, Long Valley Creek, Madeline Plains, Standish-Wendel, Stateline, Susan River, Westside, and Willow Creek Valley. The boundaries of said Management Areas may be changed by an affirmative vote of a majority of the members of the GWC.
- b. Key wells shall be established in those Management Areas for which monitoring data is available, or for which monitoring data becomes available in the future. The current list of key wells for each management area is attached hereto as Exhibit B. Said wells are identified using the state well numbering system. The Groundwater Committee may, by majority vote, add or remove key wells from a Management Area.
- c. An "Action Level 1" and an "Action Level 2" shall be established for every key well that has been established for each Management Area. The current Action Levels are shown on a hydrograph for each key well. Said hydrographs are included as Exhibit C. The Groundwater Committee may, by majority vote, establish Action Levels for newly established key wells and, by majority vote, the Groundwater Committee may also make changes to existing Action levels.
- d. Addition or deletion of particular Management Areas shall require adoption of a resolution by the Board of Supervisors.

**17.02.050 Groundwater Monitoring Annual Report**

This Section establishes the requirements for the preparation of the Annual Basin Management Objective Monitoring Report. At a minimum the monitoring report will contain the following:

- a. Introduction and monitoring report purpose.
- b. A summary of monitoring results for all basins and sub-basins being monitored pursuant to this Chapter.
- c. A list of all key wells currently being monitored in the BMO program, and identification of all key wells that are below action level 1 or 2.
- d. Current hydrographs for each key well that show both action levels for each key well currently being used for the BMO program.
- e. Supported recommendations regarding the need for additional monitoring wells, changes to key wells, changes to action levels, changes or additions to monitoring areas.
- f. Any other recommendations or information deemed appropriate by the Technical Advisory Committee.
- g. The monitoring report shall be prepared by the TAC and presented to the GWC within six months of the collection of the spring groundwater monitoring measurement.

#### **17.05.055 Data Collection**

At a minimum groundwater levels for all current key wells shall be collected in the spring and fall of each year in a manner consistent with the Lassen County Monitoring Plan and all applicable state requirements. The current monitoring plan titled, "Lassen County CASGEM (California Statewide Groundwater Elevation) Groundwater Monitoring Plan," was adopted by the Board of Supervisors on December 13, 2011. Said plan will be updated as needed by the Groundwater Committee.

#### **17.02.060 Procedures for Review and Dissemination of Data**

This section establishes the procedures for review and dissemination information gathered by the BMO program.

- a. When groundwater levels in key wells are identified in the monitoring report prepared pursuant to Lassen County Code Section 17.02.050 as being below the first or second action level, the TAC shall investigate and research in an attempt to identify the cause of the decline and present the results of the investigation and recommendations to the GWC. The TAC shall attempt to determine if exceedances in key well(s) are indicative of a long term regional trend. The TAC shall present the results of their investigation to the GWC within six months of presenting the monitoring report. Said report may be in conjunction with or in addition to the required yearly report the GWC must provide the Board of Supervisors pursuant to Section 17.02.030.
- b. Upon receiving the TAC's investigation results and recommendations, the GWC shall consider the following actions if an Action Level one is exceeded:

1. Hold additional TAC meeting(s). Discussion held at said meeting(s) may include but is not limited to: the validity of the exceedance, review of recent and historic water level data, comparison to other basins within Lassen County, identification of land use trends in the management area, comparison to regional groundwater data, discussion of known or perceived potential explanations of the exceedance. The result of these meetings should be a conclusion as to the validity of the observed exceedance accompanied with recommended actions for consideration by the GWC.
  2. Identify a specific action level for review.
  3. Hold additional GWC meetings to discuss an exceedance.
  4. Hold management area meetings to discuss exceedance.
  5. Contact water users in management areas to provide notification of an identified problem.
  6. Notify the public of identified groundwater issues through a press release and/or website.
  7. Increase the frequency or number of wells that are monitored in a management area(s).
  8. Consider monitoring land subsidence.
  9. Solicit voluntary actions from property owners
- c. Upon receiving the TAC's investigation results and recommendations, the GWC shall consider the following actions if an Action Level two is exceeded:
1. Recommended to the Board of Supervisors that it consider a groundwater recharge program.
  2. Recommended to the Board of Supervisors that it consider in-lieu recharge programs.
  3. Recommended to the Board of Supervisors that it consider a well spacing ordinance.
  4. Recommended to the Board of Supervisors that it consider review of development approvals.
- d. Within six months of receiving the TAC's investigation results and recommendations, the GWC shall present a summary of the exceedances and the investigation results, as well as GWC recommendations to the Board for Board consideration. Said summary may be in



conjunction to or in addition to the report required by Lassen County Code Section 17.02.050.

- e. The GWC shall provide a report to the Board of Supervisors for all key wells that are below action level one or action level two. Said report may be in conjunction with or in addition to the required yearly report the GWC must provide the Board of Supervisors.

#### **17.02.070 Periodic Review and Updating**

This Section establishes the procedures for review and updating of the BMO program.

- a. Review and updating, if necessary, of the BMO program shall occur at the discretion of the GWC, not less than once every five years.
- b. Recommendations regarding review and updating of the BMO program shall be performed by the TAC, and shall include consideration of:
  - 1. Management areas – Major changes in land use or development may occur that render the management areas initially identified during the BMO development phase inadequate. During periodic review and updating, management areas may be changed, added, or removed as necessary to ensure adequate protection of groundwater. The GWC may modify management area boundaries. Addition or deletion of particular management areas shall require adoption of a resolution by the Lassen County Board of Supervisors.
  - 2. Action levels in key wells – Some key wells may have shown an exceedance that has been determined, through investigation by the TAC, to not be indicative of a long term regional trend. Action levels in those key wells should be updated.
  - 3. Key well locations and density – Some key wells may cease to be monitored for logistical or technical reasons, reducing the coverage of key wells in the management area. Key wells will be reviewed and updated to provide adequate coverage in the BMO management area so that they can be used to identify changes in long term regional trends.
  - 4. Technical Advisory Committee – The composition of the TAC may be changed if deemed necessary during the BMO review and updating process.
  - 5. Groundwater Committee – The composition and representation of the GWC may be reviewed and changed if necessary. Updating GWC representation will be necessary if management areas are changed, added, or removed.
- c. The TAC will present a report regarding recommendations, if any, to the GWC. The GWC will consider TAC recommendations and will determine if those updates within its

purview will be made or if recommendations will be made to the Board of Supervisors. The recommendations of the TAC will be included as an attachment or incorporated into the GWC report to the Board, even if the GWC does not concur with said recommendations.

**SECTION FOUR:** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

The forgoing ordinance, consisting of four sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Lassen, State of California, at a regular meeting of the Board of Supervisors held on the 24th day of April, 2012 by the following vote:

AYES: Supervisors Dahle, Pyle, Chapman, Wosick and Hanson

NOES: None

ABSTAIN: None

ABSENT: None

Brian Dahle  
Chairman of the Lassen County Board of  
Supervisors, County of Lassen, State of California

Attest:  
Julie Bustamante  
Clerk of the Board

BY Susan Osgood  
SUSAN OSGOOD, Deputy Clerk of the Board

I, SUSAN OSGOOD, Deputy Clerk of the Board of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing ordinance was adopted by the said Board of Supervisors at a regular meeting thereof held on the 24th day of April, 2012.

Susan Osgood  
Deputy Clerk of the County of Lassen Board of Supervisors